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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,048	08/15/2001	Yoshikazu Kanazawa	1614.1179	9922

21171 7590 03/21/2003

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EXAMINER

DAY, MICHAEL HENRY

ART UNIT PAPER NUMBER

2879

DATE MAILED: 03/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/929,048

Applicant(s)
Y. Kanazawa, et al.

Examiner
Michael Day

Art Unit
2879



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by S.

Hirata, et al. (Characteristics of High Speed Addressability of Full-Color Surface-Discharge AC plasma Display Panels).

Referring to claim 1, Hirata, et al. disclose a plasma display device including: first and second display electrodes (see FIG. 1, X, Y electrodes), first and second discharge electrode parts wherein a discharge gap having a substantially constant width disposed between the first and second discharge electrode parts, the discharge gap defined by first and second edge parts having length longer than the widths.

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Referring to claims 3, and 4, Hirata, et al. disclose a plasma display device of claim 1 wherein, the first and second edge parts extend at an oblique angle of about 45 degrees (see top of FIG. 8) with respect to the extension direction of the first and second electrodes and substantially parallel to each other. See top of FIG. 8.

Referring to claim 6, Hirata, et al. disclose a plasma display device of claim 1 wherein, the first and second edge parts are convex and concave, respectively.

3. Claims 1, 3, 5, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Koshio, et al.

Referring to claim 1, Koshio, et al. disclose a plasma display device including: first and second display electrodes (see FIG. 17, X01a, Y01a electrodes), first and second discharge electrode parts (X01a', Y01a' electrodes) wherein a discharge gap having a substantially constant width disposed between the first and second discharge electrode parts, the discharge gap defined by first and second edge parts having length longer than the widths.

Referring to claims 3, and 5, Koshio, et al. disclose a plasma display device of claim 1 wherein, the first and second edge parts extend at an oblique angle with respect to the extension direction of the first and second electrodes and substantially parallel to each other.

Referring to claims 7 and 8, see FIG. 17.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over S. Hirata et al.

Referring to claim 2, Hirata, et al. disclose a plasma display device of claim 1. It is unclear as to whether Hirata, et al. disclose a plasma display device wherein the length of the discharge gap is greater than or equal to 150 microns and shorter than 200 microns. The optimization of prior art structure is generally considered to be within the skill of the art. It would have been obvious to specify the length of the discharge gap is greater than or equal to 150 microns and shorter than 200 microns, because the optimization of prior art structure is within the skill of the art. Furthermore, it is noted that on page 5, lines 12-21 in reference to the prior art FIG. 3B, the applicant admits that the length of the discharge gap of a conventional display is 160 microns.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Day whose telephone number is 703/305-4941. The examiner can normally be reached on Monday-Friday, from 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel, can be reached by phoning 703/305-4794. The Fax phone number is 703/308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703/308-0956.

March 17, 2003



MICHAEL DAY
PRIMARY EXAMINER
GROUP 2870